

HOW IT WAS MANAGED IN DUTCHESS
COUNTY.

(FROM A STAFF CORRESPONDENT OF THE TRIBUNE.)

In this correspondence I intend to tell as clearly, fully and connectedly as I can, and with absolute fidelity to the truth, precisely how this great crime was accomplished. Nothing will be asserted which has not been or cannot be substantially proved, nor will any inference be suggested which is not a logical and necessary conclusion of demonstrated facts.

FIRST HINTS OF FRAUD

It was known in every newspaper office in the State by 3 o'clock in the morning after election that the IIIrd, XIIIth, XVth, XVIth, XVIIth, XIXth, XXth, XXIst, XXIIth, XXIIIrd, XXIVth, XXVth, XXVIth, XXVIIth, XXVIIIth, XXIXth and XXXth Senate Districts—seventeen in all—had been carried by the Republicans. The Associated Press, the agency through which the government collects the official returns after the election, gathers them, precinct by precinct, and the very instant they are counted, and in its office the computations are made that show the results by towns, counties and districts. The Associated Press dispatches left no reasonable doubt on the night of November 3 that these seventeen districts, according to the official returns, had elected Republicans. And yet that very night messages flew over the wires into the offices of the Democratic papers declaring that Governor Hill and "Ed" Murphy, the chairman of the Democratic Campaign Committee, were claiming the Senate. What these claims were based on did not appear, but they were vociferously repeated the next day, and in the face of positive assurances from the Associated Press that its figures were official and correct. That night the claims of the Democrats began to grow a little more specific. It was hinted that Edward B. Osborne, the Democratic candidate, and not Gilbert A. Deane, had been elected in the XVth District; that Charles E. Walker, Democrat, and not Franklin D. Sherwood, Republican, had been elected in the XXVIIIth District; that Michael Collins, Democrat, and not John H. Derby, Republican, had been elected in the XVth District, and that John H. Nichols, Democrat, and not Rufus T. Peck, Republican, had been elected in the XXVth District. It is highly significant that these reports did not at first come from the districts themselves. In Poughkeepsie the very persons who afterward stole Mr. Deane's seat by acts of reckless and barefaced robbery frankly acknowledged his election when the returns were filed. In Elmira no one questioned Mr. Sherwood's large plurality. In Syracuse Mr. Peck was receiving the congratulations of his friends without the smallest hint that they were not his due, and in Troy Mr. Derby's title was nowhere disputed. All the rumors throwing doubt on these elections first came from the Executive Chamber at Albany and the Democratic headquarters in the Hoffman House, New-York.

HILL WHISTLES UP HIS MEN.

Telegrams of inquiry sent out into the districts mentioned from the New-York newspaper offices elicited no evidence in support of the rumors, but only repeated assurances that the count was completed and the Republican candidates surely elected. The next day, however, the local Democratic managers in the districts began to sustain the claims that had been put forward by the State bosses. All that day political messengers were flying between Albany and Syracuse, Troy, Elmira, Poughkeepsie and New-York, and if the files of the Western Union offices in these cities could be produced they would show some remarkable similes and directions. The Democratic politicians were everywhere advised to secure "evidence," no matter how flimsy or absurd, that would serve the immediate purpose of challenging the inspectors' count, and of creating a popular impression that the result as to State Senators was in doubt. Governor Hill gave the Associated Press a remarkable interview, wherein he boldly declared that "the Democrats had carried a majority of the Senate districts," that "they did not intend to be cheated out of their rights," and that "it was incumbent upon every Democrat who valued his party and its victories to watch the count as it was now proceeding throughout the State." Governor Hill, of course, was perfectly aware that the count had been completed within ten hours after the polls closed. The proceeding to which his remarks were intended to direct attention was the canvass of the precinct returns before the various county boards of supervisors organized as county boards of canvassers, and he was covertly suggesting to his party managers generally what he had been all day long commanding upon individuals, that they should get to work promptly to collect affidavits upon which to challenge the correctness of precinct returns before these County Canvassers.

The four districts affected by Democratic rumors, though only one was really close, had received special attention from the Democratic managers during the campaign. The XXth, composed of the counties of Dutchess, Columbia and Putnam, and containing the city of Poughkeepsie; and the XVth, composed of the counties of Kenselemer and Washington, and containing the city of Troy.

they had evidently expected to marry. In each of these districts the Democratic office was a man after Hill's own heart. Fongheeslee was the home of "Big" Hunkley, a political knave of much nerve and sagacity, who masqueraded as a newspaper man. Troy was the home of "Lo" Murphy, the notorious canal boss, Hill's principal lieutenant in New York. Hill's principal State Committee, an official distinction naturally inherited from Augustus Street, John O'Brien when expiring and collapse forced that statesman to resign his honors and to part with his pell. Hunkley and Murphy fully expected to capture their districts. The Flower campaign fund supplied them with resources much greater than they had enjoyed in any recent campaign, and it cannot be denied that they made effective use of their opportunity. They were tremendously disgusted when they found themselves beaten, and they needed any inspiration beyond Hill's command to undertake the theft of the district. Their plan did not develop immediately. They had to give their way. Meanwhile they tried to themselves sending out impudent assertions that the first returns were false, that large mistakes had been made in the count, and that their respective men, Osborne and Collins, had undoubtedly been elected. These assertions served the purpose of notifying to their "healers" that they must sit around after "evidence," and of preparing the public mind for such "revelations" as might be thereafter made.

HILL'S PRE-ELECTION HOPES

THE XXVTH DISTRICT, composed of the counties of Oneonta and Cortland, and containing the city of Syracuse, was ordinarily Republican by an enormous majority. But here, too, Hill had had hopes. The Republican candidate, Mr. Peck, was understood to be objectionable to a faction of his party, and it was believed that he would fail to secure their support. So, indeed, he did in a large measure. His vote fell off especially in the towns, and as the first returns received were, of course, from these places, the Democrats early in the evening of election day were much encouraged. They sent enthusiastic messages to Governor Hill and to the Democratic headquarters in New-York City, and, although they themselves were quickly undeceived, the country returns making it evident that Peck's majority was substantial, it is probable that they left the impression they had first created at Albany and New-York undisturbed until the next day. But Hill was not the man to relinquish the idea that he had won, or to excuse his sub-bosses for a failure to deliver a district on the poor ground that their arithmetic was faulty. He met the first suggestion of defeat with peremptory instructions to the Syracuse Democrats that they must go on claiming and chase around after proofs to sustain their claims. On the morning after election day everybody freely admitted Peck's victory, but that evening, after the Albany boss had been consulted, the Democrats were noisy protesting that there was a mistake somewhere which would appear as soon as they could place it.

THE XXVlth District was Hill's own. It is composed of the counties of Chemung, Steuben and Allegany, and contains the city of Elmira. It had been represented in the Senate for several terms by Mr. Fassett. It is not probable that Hill at any time expected to carry this district, but from the moment the Republican candidate was named he had a well-grounded expectation of displacing him if the Senate should prove to be Democratic. Mr. Sherwood was a citizen of Hornellsville, where he held the office of Park Commissioner. That fact should have operated to prevent his nomination, for the State Constitution provides in Section 8 of Article 3 that "no person shall be eligible to the Legislature who at the time of his election is, or within 100 days previous thereto has been, . . . an officer under any city government." The Democrats were quick to point out the disability under which this provision placed Mr. Sherwood, fortifying their judgment with an elaborate opinion from Attorney-General Tabor, to whose views they imputed a decisive quality growing out of his official position. But the Republicans replied with an opinion from Judge Danforth, an ex-member of the Court of Appeals, holding that Mr. Sherwood's case did not come within the constitutional prohibition and they rightfully insisted that Mr. Tabor's views were of no more account than those of any other lawyer of moderate ability, and not to be compared in value with those of a jurist so learned and respectable as Judge Danforth. Tabor's position, they properly said, had nothing to do with the matter, since the Senate, and the Senate alone, was the judge of the qualifications of its members, and could pass on the question of Mr. Sherwood's eligibility if any such question existed. No one knew better than Governor Hill that this was a correct statement of the law, and his pre-election hopes in the case of Mr. Sherwood were confined to that gentleman's displacement in the event of the election of a Democratic Senate. The scheme of knocking him out by the simple process of having the State Board of Canvassers kick the statute books into the street, repudiate the Court of Appeals, and decline to give Mr. Sherwood his certificate on the plainly declared ground that they didn't have to, was an afterthought, adopted when the proposition of that Board was found to be necessary in the other cases. Of course, if it could be got to commit a crime in three cases, there would be no special reason why it should hesitate at a fourth.

A CHARACTERISTIC ANECDOTE.

These were the districts wherein, after the election of the Republican candidates had been completed, but very quickly thereafter and suddenly, and following immediately upon conferences between Hill, Murphy, Hineckey and the Deputy Attorney-General, Maynard, at Albany, and prompted by telegraphic messages that fairly poured out of the Executive Chamber, the local Democratic managers began to show suspicious activity and to make impossible claims. It is fair to presume that they did not understand the conspiracy they were being drawn into, and perhaps there were some among them who, had they appreciated its audacity and enormity, would have paused a long while before inviting its risks. As much may possibly be said of some of the principal actors. Several stories are told at the Fort Orange Club about the state of mind in which these lesser conspirators were thrown when they first heard the Governor's plan fully developed. One which is, at all events, characteristic, represents Hill as having gone over the facts in each case, showing the materials he had collected to justify his scheme. There was a general murmur that they were too few in number and too feeble in strength.

The Governor's face darkened. "Perhaps you don't fully comprehend," he said, with a palpable sneer. "I am not talking of evidence for use in a court, but before Democratic boards of canvassers." Then in brief, swift sentences he outlined the whole conspiracy. The group around him was not composed of Miss Nancys, but it fell on them all with a chill.

ly, "Ed" Murphy spoke up. "

"Poor!" he said, "we'll put it through if you say so." But there's a big question in my mind just where it will land us!"

"Pooh!" said Hill.

II.

HILL'S HAND AT THE HELM.

After 120 years of free government during which time the spirit of justice and fair play, devotion to the principle of majority rule and respect for the law have so grown and developed in the public mind as to dominate its forces and direct its operations, there were not many people in New-York who thought it a physical possibility for half a dozen men in command of a political party to take by brute force what the verdict of the polls had denied them. This seems, indeed, so preposterous that thousands of people who have not followed the facts of the Senate Stral closely but knew only, and in a general way, that there

was a dispute about who was elected and a big issue in the courts and a final result in favor of the Democrats, incline to think that it must be substantially right, because in this kind of law and liberty it surely could not be radically wrong. This almost languid feeling of public security constituted not a little to make the *Steal* possible and operates now to shield the thieves. It is high time the people woke up, high time they realized that a crime has been committed that strikes at the very roots of things and that, unpunished, opens the door to all kinds of electoral devilry. When it is found that a Board of Canvassers can with impunity certify to another result than that declared by the ballots, elections are a mere waste of time. When the people discover that there is a man among them powerful enough to do what David B. Hill did on the day the *Steal* was handed down in decisions—declare that Appeals should be made, defend and gravely discuss with other conspirators which two could be defied with the most safety, select the two, order the public officials on whom those decisions bore to disregard them, and secure a tame obedience to his commands that man and his party have got to be turned down or the State of New-York is not far from a revolution!

FACTS THAT REVEAL THE KNAVE OF SPADES

It has already shown that the conspiracy to steal the Senate was hatched in the Executive Chamber at Albany. Hill conceived it and directed it in every detail. The proof of this multitudinous and circumstantial. It was from Hill in a public interview that the false claims first proceeded, after all the inspectors' returns were filed in the county clerks' offices and their result in the choice of the Republican candidates known beyond the shadow of a doubt. Hill sent out telegram after telegram to his agents and managers in the four districts, directing them to make no concessions, but to get evidence of fraud. When it is understood that these fellows were in almost all cases persons of criminal, or at the best "shady" reputations, the nature of the "evidence" they sought after does not require description, or, if it does, it is witnessed in the evidence they got. It was Hill who detailed Maynard, the Deputy Attorney-General, to dash here and there

F

THE LAW OF ELECTIONS

The necessity of stealing the Senate in order to get it did not appear to the Democratic managers until the time had gone by within which they could tamper with the returns themselves. The inspectors of election had performed their whole duty and were discharged of their responsibility, and the returns were filed and final record with regard to them had been made before Hill's desperate scheme developed. It was plain that he could not make the figures other than they were. The only thing he could do was to secure a fraudulent certification of their effect. The functions of each individual part of the electoral machine in this State are defined by the statute with rigid exactitude. No chance is anywhere left for mistake or misconception, and, if there were, the courts have long since disposed of it by a line of decisions holding that the law means just what it says and says just what it means. The election inspectors—that is, the persons who have charge of the polling-booths and boxes in every precinct—under whose supervision the balloting goes on, are required immediately upon the closing of the polls to begin the canvass of the votes, and they are forbidden to adjourn until their work is fully completed. They are required to proclaim the result as to each candidate immediately upon its ascertainment, and, when the canvass has been fully completed, to make a statement of its results upon a prepared form which must be immediately and within twenty-four hours after the completion of the canvass filed in the office of the town clerk. Verified copies of this statement must be delivered to the supervisors of the town or ward, and to the county clerk, and this business must be transacted and the inspectors must indite and adjourn within twenty-four hours after the canvass has been completed.

One week after election day the supervisors

of the county, each of whom has in his possession the inspectors' returns from all the polling precincts in his town or ward, must meet and organize as a Board of County Canvassers. Their duty is ministerial and arithmetical. The county clerk meets with them as their secretary. The returns from each precinct are examined and the precinct totals as to each candidate are added together and the results as to majorities or pluralities discovered. The board has power to issue a certificate of election for each county office, and is required to make out, according to a given form, a statement of the total vote received in the county for each candidate for a State office to file the original of that statement in the office of the county clerk, and it is the duty of that officer to send by mail three copies of it to the State capital, one addressed to the Governor, one to the Secretary of State and the third to the State Controller. Each of these officers, then, has a complete declaration of the result in every county as to candidates for State offices, and they are required to file the declarations they have received in the office of the Secretary of State, the purpose of the law in calling for three such statements being to see to it, beyond all chance of misarrange, that a true return shall be in the possession of the State Department.

The Secretary of State, the Controller, the State

Engineer and Surveyor, the Attorney-General and the State Treasurer are constituted a Board of State Canvassers, and are required to perform the same arithmetical and ministerial duties in connection with the statements sent up from the counties that the county canvassers were charged with in connection with the returns from precincts and towns. The Secretary of State lays before the board all the statements received by him from the county boards, and the total vote for each candidate for a State office is computed, the pluralities and majorities are ascertained, the result in each case is declared and a certificate of election is issued in conformity therewith.

UNMISTAKABLE IMPORT.

It is apparent from this analysis of the law that neither the county canvassers nor the State canvassers have any judicial duty. The law nowhere authorizes them to do anything except add and subtract, and declare the result of that mathematical performance.

cial performance. They have nothing to do with questions of fraud on the part of either voters or election inspectors. They must take the returns as they receive them and without question. They cannot inquire into any allegation which in any way challenges the correctness of the returns. All such functions are lodged in the courts. Any candidate, and, indeed, any voter who thinks himself wronged by any kind of misconduct, whether on the part of voters or inspectors, has a sure, quick and easy remedy in the courts. It is obvious, from the face of the statutes, that this is the law, and the reason of the law is equally obvious. It is necessary to have a machine for the ascertainment of results all the way up from the lowest grade of offices to the highest, and, of course, at no point in the performance of a work which is necessarily one of simple mathematics should there be a pause on the part of the mathematicians to inquire into the character and value of the votes they are counting. If candidates are to be permitted to throw out and put in, to make their figures correspond with their own partisan desires instead of to the returns as cast and counted on the night of the election, it is plain that no candidate and no party is secure from fraud. Whatever the people obtain can be "emasculated" into whatever suits the taste and fancy of the candidate.

In a long line of decisions, nowhere interrupted, the courts have repeatedly assured the boards of management that they are without discretion to go be-

hind the returns. The very latest of these decisions was rendered last June, since the adoption of the amended ballot law, and it affirms that the canvassers are "simply to determine from the documentary evidence before them, furnished by the action of the inspectors, and upon which alone they can act, the number of votes given for each can-

trial, respectively. The canvassers are required in a ministerial capacity to estimate and certify the vote." In the case of Deucher, Judge Macomber held that to permit the "overhauling" of returns by canvassers "would be an invitation to party zeal to make returns and not to count them." "It is not the province of the board of canvassers," he said, "to adjudge an election. It discharges its whole power when, as an accurate accountant, it returns the results of the apparently and ostensibly fair figures which may be presented." Judge Osborne, in the case of Karz, presented this same view of the law. The duties of the board of canvassers are to ascertain the true vote, and to alter or judge the returns, or to contradict them, is not permissible. In the case of Morgan vs. Quisenberry, speaking of a city board of canvassers, the court said: "The board is not at liberty to receive evidence of anything outside of the returns themselves. Their duty consists of a simple matter of arithmetic. They are to bring together the returns made by the several districts, and to ascertain the aggregate number of votes given in the whole city for each person for each office, and then declare the result by a majority of the votes." The court then said: "The common council received affidavits tending to show fraudulent practices at the polls, and, acting upon such evidence, omitted to canvass the votes of two election districts, they were held liable to the board of canvassers. The judicial power which the Legislature has never vested in them or any other board of canvassers." This principle is further enforced by the Court of Appeals decision in the case of Cook vs. the Board of Canvassers, with a regular return from the district inspectors before them, which is fair on its face, have no right to go behind it, and prove that its contents are false, or irregularities of the inspectors. They must act upon it as a regular return, and leave the parties aggrieved to their remedy through the courts of

v.

SOME OF THE CHIEF CONSPIRATORS.

Since Cleveland's defeat in 1888 the Democratic party in Dutchess County has fallen under the domination of a certain James W. Hinckley. Formerly, in all matters of party management, the paramount voice was that of James L. Williams, a distinguished attorney who has always enjoyed the confidence and respect of the people. But when Hill came into full power such men as Williams were not the kind he needed. He had no use for lieutenants who asked questions or paused to consider. The sort of men he wanted were those who would be "reliable," who knew how to take a hint and who, if they had to have any morality, would have sense enough to keep it out of politics. A change in party management was therefore necessary in Dutchess. Mr. Williams was incontinently "dumped," and his sceptre was handed over to Hinckley. Hinckley's career has been somewhat picturesque. Some people call him "Major"—why, I have not been able to ascertain. One explanation given is that "he once went to West Point," which is probably the best explanation there is. He was a young man, and at all events, when he first made his appearance, in Dutchess County. He is remembered as having hung around a lowish kind of hotel, occasionally dispensing drinks across its bar. He presently became attached to the hotel, and was soon a proprietor. From that time until he temporarily abandoned the hotel-keeping, he was eminent as a sportsman. Why he went away was not put on record, though a large and heavy burden of judgments was, a few years later he came back, apparently in the enjoyment of a reasonable degree of prosperity, and since that time his course has been, in its own peculiar way, "onward and upward." He became the proprietor of "The New-York Graphic," which some may remember as a pictorial newspaper.

It was as an editor that Mr. Hineckley began to

It was as a result of this reception and consideration at the hands of the Democratic party. His paper, which, as a paper, was a huge and consistent failure, was nevertheless the first step in the erection of Mr. Hinckley's fortunes. He passed its stock around in ample bundles, and finally when it was well overlaid with debts he made some sort of deal by which it passed into the sweet by-and-by, and he into the presidency of an electrical machine company. But while occupied with these concerns in the metropolis he was at no time idle in Poughkeepsie. As the promoter of a mining company whose property consisted of sundry holes in mineral ground somewhere off toward the setting sun, he interested and still interests several of Dutchess County's sanguine citizens. Five or six years ago he adventured into local journalism, and now conducts "The Poughkeepsie News Press," wherein in he wields a garbled and knotty club against Republicans generally, and all such Democrats as presume to think they have a will in conflict with that of David B. Hill and the Tammany Tiger. This is the man who, under Hill's direction, managed and forced through the Board of Dutchess County Canvassers the theft of the XVIIth District.

A LAWYER WITH A RECORD.

His principal assistant was a man named William H. Wood, a lawyer. Wood came to Poughkeepsie a year or two ago from Fishkill. He was once a supervisor of that town, since which time he has been successively defeated for a variety of offices. His character is bad. Early in the administration of Grover Cleveland Wood was a deputy collector of internal revenue for the district of which this county is a part. He was defeated out of that office in the consolidation of the Poughkeepsie district with that immediately to the north of it. The two districts passed under the management of a single collector, whose office was in Albany. After Wood had been for some time out of office the collector discovered that he had failed to account for several hundred dollars, money which he had collected from taxpayers. His delinquency was reported to the commissioner at Washington, who declared them to be a clear case of embezzlement, remarking that their number was so considerable as to leave no room for any explanation consistent with any intention to account for the money. Wood insisted that Wood should be prosecuted, but he had "gone to Europe." As he couldn't be found, he couldn't be prosecuted, and in the end the amount of his delinquency was paid back and the matter was hushed up. It is said that Mr. Wood, like all the other rascals engaged in this electoral crime, is basking for his forty pieces of silver, which, in his case, is desired in the shape of the office of State Assessor. I don't suppose there is any particular reason why, if the governor can appoint a man to be a member of the Court of Appeals who, in the furtherance of an infamous political conspiracy, is in evidence as having tampered with the mails, he should hesitate about appointing a man to be a State Assessor who has tampered with taxes. Still, before Mr. Flower lands Mr. Wood, he might do well to consult the letter files of the Internal Revenue Department at Washington. There are three letters, bearing the dates January 5, February 3 and April 29, all in 1888, and all written by a Democratic commissioner, which, in particular, he ought to see.

DEANE'S ELECTION FULLY CONCEDED.
When the election returns from all the districts in Dutchess County were filed in the clerk's office at Poughkeepsie on the morning after election day.

It was found that the Democratic candidate for State Senator, Edward B. Osborne, had received a majority in the county of 92 votes. This same morning the official returns from the counties of Columbia and Putnam, which, with Dutchess, form the XVIIth Senate District, were filed and were reported by both political associations. The Republican returns gave Mr. Deane a majority of 132 and the Democratic returns gave Mr. Deane a majority of 38. Mr. Deane's majority in the district was, therefore, precisely 78. When this result was announced it was promptly disputed by the Democrats, and among them by Frank B. Lowm, a Democratic lawyer of character and ability. In a controversy that night Mr. Lowm was accused that he had made a mistake in arithmetic, and that he had made a mistake in the returns in the office of Robert H. Hunter, a Republican, and the Democratic disputants were invited to compare their figures with this certified copy of the returns. Mr. Deane and Mr. Osborne's office and carefully made a comparison, presently discovering that in their statement the vote in one district had been transposed, giving Mr. Deane a majority of 78 and Mr. Osborne a majority to Mr. Deane. They at once went to the clerk's office and examined the original statement, which contained the figures precisely as they appeared in the newspaper. They then compared the figures, and the difference between their figures and those of the Republicans, and they at once conceded Mr. Deane's election. Mr. Lowm, however, would not be dissuaded, and he threatened to do some harm he had done by his early claims. He went to a number of gentlemen and frankly informed them that he had been mistaken in his figures, and that he had no doubt that Mr. Deane had won. While thus engaged he encountered Hinkley, who sharply remonstrated with him for so foolish a proceeding. "Suppose," said Hinkley, "you go out and tell the people of it: What are you going around the streets saying so far at this stage of the game?" This remark was reported to the Republican leaders.

[illegible]

VI

VI.
THE DIRTY PLOT DEVELOPS.

Ordinarily the vote of Dutchess County is canvassed in two days, but on this occasion a policy of delay and postponement was promptly inaugurated. As one by one the returns came up scores of clerical errors were pointed out, to which under ordinary circumstances no importance whatever would be attached, but on account of which in this instance the election inspectors were at once reconvened and the returns were sent back to them for correction. The purpose of this delay was, of course, to get "evidence" upon which to attack the returns, though, as I have shown, that is precisely what the law and the courts have time and again declared that boards of canvassers cannot and must not do. Wood had been elected counsel for the board. It is only fair to the honorable Democratic lawyers of Poughkeepsie to say that not one of them could be induced to countenance the steal. One after another they declined to appear in the proceeding in the defence of the canvassers' conduct, and their consistent and unanimous advice was that the whole business was illegal and outrageous, sure to cover every one involved in it with infamy and equally sure to ruin the Democratic party. Wood, however, was always available.

The front of the conspiracy first showed itself in connection with the returns from the first district of the town of Dover. There seven pasteur ballots had been cast attached to official ballots, but on the wrong side of them. The inspectors, as these ballots were found, perceiving this irregularity, and not knowing how it affected the votes, laid them aside under a lamp until the canvass was completed and then decided to return them and did return them in their statement as "blank." Hincley, "nosing" around after "evidence," soon heard of these seven ballots. "Tom Whalen, the ballot-clerk at this poll, told Hincley that the raised ballots had not been returned to the County Clerk, as they should have been, but were sent to a barber shop near by where they were being used as waste paper, and he thought he could recover one of them and show him how these pasteur ballots looked. So they went together to the barber-shop, found an official ballot and on the back of that affixed a regular Democratic pasteur. On this same one present vote, in a corner of the sheet, these words: "There were seven ballots, fac-simile to the one hereto attached, which is not an original ballot but a sample to show how the ballot was folded and how the pasteur was attached. These ballots were accepted by the inspectors and at the canvass were counted as blank." Under this was writing John Williams, a Democratic inspector, wrote his name. It will be noticed that the scamps did not have the impudence to make Williams say in words that all these seven ballots were Democratic. They merely made him say that the Democratic pasteur there exhibited is a fac-simile of the ballots cast, but the value of that statement was shown by his remarking that he didn't know what "fac-simile" meant. Under Williams's statement, the other Democratic inspector, S. D. Whalen, wrote as follows: "I know of seven ballots, but do not know what kind."

The Republican inspector at this poll was Edward A. Brush. When the character of these ballots was being inquired into by the Board of Canvassers (a thing which, be it always remembered, they had no right to do anyhow) Brush presented an affidavit declaring that one of these seven ballots to his certain knowledge, concealed of a Social Labor official ballot with a Republican pasteur affixed. He noticed that another of the seven bore a Democratic pasteur ballot, but was unable to say what the others were. They were taken up at this poll were Henry Ketchum, William and Richard Ketchum, cousins, one the son of General Ketchum, the other the cashier of the Dover Plains Bank. They both testify that they examined these seven ballots, that four bore Democratic pasteurs and three Republican

"FIRED GALLOPING TO JAIL."

It is probable that the inspectors made a mistake in failing to count these ballots, and it is clear that any candidate in interest was entitled to have their character determined by the courts on a quo warranto proceeding, and canvassed by the Court's order, and in accordance with its directions. Upon no excuse, however, could the canvassers lawfully investigate their character or in any way change the return of the inspectors except upon the order of the Court. They did not, however, and, in spite of the evidence repeated here, which is all there was on the subject, they adopted a resolution by a partisan vote canvassing all the seven ballots for the entire Democratic ticket, and thus, in effect, confessed their guilt in doing this was of itself, a sorry confession. In